# CLASSIFICATION OFFICE DECISION

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| **Title of publication:** | sb-b3080.jpg |
| **Other known title(s):** | Not stated |
| **OFLC ref:** | 1600781.004 |
| **Medium:** | Computer Image File |
| **Publisher:** | Not stated |
| **Country of origin:** | Not stated |
| **Language:** | Not applicable |
| **Applicant:** | Secretary for Internal Affairs |
| **Classification:** | Unrestricted. |
| **Descriptive note:** | None |
| **Display conditions:** | None |
| **Date of entry in Register:** | 23 November 2016 |
| **Date of direction to issue a label:** | No direction to issue a label has been issued |
| **Date of notice of decision:** | 23 November 2016 |

**Summary of reasons for decision:**

Although the image depicts a nude boy it is not reasonably capable of being regarded as sexual in nature. It therefore does not does not get through the "subject matter gateway" of s3(1) of the Films, Videos, and Publications Classification Act 1993, nor does it deal with matters under s3A or s3B of that Act. The publication must therefore be classified as unrestricted. An unrestricted classification imposes no limitations on the right to freedom of expression as affirmed by the New Zealand Bill of Rights Act 1990.